

November 14, 2013

By Facsimile and FOIAonline

Regional Freedom of Information Officer
U.S. EPA, Region 10
Office of External Affairs
1200 6th Avenue (CEC-142)
Seattle, WA 98101
(206) 553-8665
FAX (206) 553-0059

Re: Freedom of Information Act Request

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and FOIA regulations at 40 C.F.R. § 2, I write to request records from EPA Region 10 relating to the North Pole Refinery near Fairbanks, Alaska.

I hereby request all records relating to coordination between EPA and the State of Alaska regarding a response to the release of sulfolane at the North Pole Refinery. This request includes, but is not limited to:

- (1) Any and all agreements between EPA and the Alaska Department of Environmental Conservation ("ADEC") relating to a coordinated response to the release of sulfolane at the North Pole Refinery; and
- (2) Any and all records and communications relating to an agreement as described in item (1) with respect to the North Pole Refinery.

Defined Terms

The term "records" as used herein includes the original and all non-identical copies, however produced or reproduced, of any written or graphic matter, as well as computer files, including but not limited to writings, handwritings, drawings, graphs, charts, maps, correspondence, faxes, electronic mail (i.e., e-mails), attachments to electronic mail, any other electronic communications, notes of telephone conversations or of meetings or conferences, minutes of meetings, interoffice communications, memoranda, studies, analyses, results of investigations, photographs, sound recordings, electronically stored information, other data compilations from which information can be obtained, and any other documentary material, regardless of physical form or characteristics.

The term "relating to" as used herein means addressing, constituting, mentioning, discussing, describing, reflecting, identifying, dealing with, consisting of, explaining, referring to, containing, enumerating, or in any way concerning or pertaining to, in whole or in part, directly or indirectly.

FOIA Response

The records requested herein relate to coordination between EPA and the State of Alaska regarding a response to the release of sulfolane at the North Pole Refinery.

I believe that these records are not exempt from disclosure. If EPA should deny access to any records covered by this request, however, please describe in detail each of those records and specify the statutory basis claimed for denial as well as any reasons for asserting that claim. As you know, FOIA provides that if only a portion of a record is exempt from release, all reasonably segregable portions shall be provided. Thus, if EPA asserts that a portion of a record that we have requested is exempt, please provide us with a copy of the remainder of the record. If EPA asserts that the exempt portions cannot be reasonably redacted, please state in detail the reasons for that assertion.

Please provide the requested material at the earliest possible date, and, in any event, please provide as complete a response as possible to this request within the twenty (20) day period prescribed by FOIA. Please forward currently available records as soon as possible and others as they become available.

In accordance with FOIA and applicable regulations, I am prepared to pay the proper fees for the direct costs of record searches, review and duplication. If your office estimates that costs will exceed \$1000, please contact me before complying with this request to obtain my agreement to pay the fees.

Please contact me at (202) 637-5543 or via e-mail at madeline.fleisher@hoganlovells.com if you have any questions concerning this request. I look forward to your prompt response.

Sincerely,

Madeline P. Fleisher

Associate